

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ORLANDO CRUZ	:	CIV. NO.
	:	
Plaintiff,	:	02-3418
	:	
v.	:	
	:	
LT. WOERTZ ,	:	
POLICE OFFICER KELLY, POLICE	:	
OFFICER ACQUAVIVA, and POLICE	:	
OFFICER FRYSINGER,	:	
Defendants.	:	

OFFER OF JUDGMENT

TO: Jay S. Gottlieb, Esquire
The Robinson Building
42 S. 15th Street, Suite 1313
Philadelphia, PA 19102

Pursuant to Rule 68 of the Federal Rules of Civil Procedure, Defendants hereby offer to allow Judgment to be taken against them and in favor of the Plaintiff, for all claims and damages, costs, attorneys' fees and interest accrued to date, in the amount of Two Thousand (\$2000) dollars.

This Offer of Judgment is made solely for the purposes specified in Fed.R.Civ.P. 68 and is not to be construed either as an admission that Defendants are liable in this action, or that Plaintiff has suffered any damages. Said judgment is to have no effect whatsoever except in settlement of this case. Additionally, this Offer of Judgment is not admissible as evidence in any proceeding, except, if accepted, in a proceeding to determine costs. If this Offer of Judgment is not accepted in writing within ten (10) days, it shall be deemed withdrawn.

Robin B. Arnold
Deputy City Solicitor
Attorney I.D. #59477
City of Philadelphia Law Department
1515 Arch Street, 14th Floor
Philadelphia, PA 19102
(215) 683-5447
(215) 683-5347 (Fax)

Date: 9/30/03

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OFFICER ACQUAVIVA, and POLICE	:	
OFFICER FRYSSINGER,	:	
Defendants.	:	

CERTIFICATE OF SERVICE

I, ROBIN B. ARNOLD, hereby certify that on the date below, I served a true and correct copy of Defendants' Rule 68 Offer of Judgment upon counsel listed below by first-class United States Mail, postage prepaid.

Jay S. Gottlieb, Esq.
The Robinson Building
42 S. 15th Street Suite 1313
Philadelphia, PA 19102

BY: _____

ROBIN B. ARNOLD
Deputy City Solicitor
1515 Arch Street, 14th Floor
Philadelphia, PA 19102

DATE: 9/30/03

